

# **EXHIBIT 1**

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**From:** Nima Hefazi <nimahefazi@quinnemanuel.com>  
**Sent:** Thursday, February 3, 2022 10:25 AM  
**To:** Cole Richter  
**Cc:** Marc Kaplan; QE-Sonos3; Sonos-NDCA06754-service  
**Subject:** RE: Google v. Sonos [NDCA2] -- 4-3 Disclosure  
**Attachments:** QE edits 2022.02.03 -- JCCS and Chart.docx

This message originated from outside your organization

Cole,

We are continuing to review internally and waiting for client approvals, but I am attaching the current draft of the JCCS with some edits from us. Please note that we have slightly modified our construction of "playback queue" in the attached document.

Thanks,  
Nima

**From:** Cole Richter <richter@ls3ip.com>  
**Sent:** Monday, January 31, 2022 8:03 AM  
**To:** Nima Hefazi <nimahefazi@quinnemanuel.com>  
**Cc:** Marc Kaplan <marckaplan@quinnemanuel.com>; QE-Sonos3 <qe-sonos3@quinnemanuel.com>; Sonos-NDCA06754-service <Sonos-NDCA06754-service@orrick.com>  
**Subject:** RE: Google v. Sonos [NDCA2] -- 4-3 Disclosure

[EXTERNAL EMAIL from [richter@ls3ip.com](mailto:richter@ls3ip.com)]

Nima,

Please see attached.

Best,  
Cole

**From:** Nima Hefazi <[nimahefazi@quinnemanuel.com](mailto:nimahefazi@quinnemanuel.com)>  
**Sent:** Saturday, January 29, 2022 4:28 PM  
**To:** Cole Richter <[richter@ls3ip.com](mailto:richter@ls3ip.com)>  
**Cc:** Marc Kaplan <[marckaplan@quinnemanuel.com](mailto:marckaplan@quinnemanuel.com)>; QE-Sonos3 <[qe-sonos3@quinnemanuel.com](mailto:qe-sonos3@quinnemanuel.com)>; Sonos-NDCA06754-service <[Sonos-NDCA06754-service@orrick.com](mailto:Sonos-NDCA06754-service@orrick.com)>  
**Subject:** Re: Google v. Sonos [NDCA2] -- 4-3 Disclosure

Cole,

Can you confirm you will circulate a draft of the 4-3 chart on Monday?

Thanks,  
Nima

## APPENDIX A: TERMS IN DISPUTE

<p>“local playback queue on the particular playback device”</p>	<p>‘615 Pat. (all claims); ‘033 (all asserted claims)</p>	<p><i>Plain and ordinary meaning; no construction necessary</i></p> <ul style="list-style-type: none"> <li>• ‘615 Patent at 10:8-13, 10:42-46, 11:12-14, 13:22-40, 14:50-52, 15:12-16, 15:58-67, 16:20-35, 16:49-53, 16:53-17:15;</li> <li>• ‘615 Prosecution History, May 9, 2017 Office Action;</li> <li>• ‘615 Prosecution History, August 28, 2017 Office Action Response;</li> <li>• Intrinsic Evidence from one or more cited patents: <ul style="list-style-type: none"> <li>○ SONOS-SVG2-00043061 at ¶¶ 9, 14-15, 37, 66;</li> <li>○ SONOS-SVG2-00042964 at ¶¶ 9, 14-15, 37, 66;</li> <li>○ SONOS-SVG2-00042982 at ¶¶ 8, 40, 48;</li> <li>○ SONOS-SVG2-00043004 at ¶¶ 40, FIG. 2a;</li> </ul> </li> <li>• Extrinsic Evidence from one or more of the following: <ul style="list-style-type: none"> <li>○ GOOG-SONOSWDTX-00006865;</li> <li>○ GOOG-SONOSWDTX-00006878;</li> </ul> </li> </ul>	<p><u><i>“an ordered list of multimedia items that is selected by the user for playback, a multi-element data structure stored within the particular playback device that maintains an ordered list of multimedia items for playback in the listed order”</i></u></p> <p style="text-align: center;"><u>INTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> <li>• ‘615 patent, 12:31-67; 16:20-31; 16:52-62; 16:62-17:4; Figs. 4, 7, 9-11</li> </ul> <p style="text-align: center;"><u>EXTRINSIC EVIDENCE</u></p> <ul style="list-style-type: none"> <li>• Google may introduce expert testimony from Dr. Kyriakakis regarding the ordinary meaning of this term to a person of ordinary skill in the art in the context of the intrinsic record, including the opinion that Google’s proposed construction is consistent with that meaning.</li> <li>• Sony Play Queue Help Guide, available at <a href="https://helpguide.sony.net/ha/ar/v1/en/contents/TP0000165650.html">https://helpguide.sony.net/ha/ar/v1/en/contents/TP0000165650.html</a></li> <li>• Sonos Controller for Mac or PC Product Guide, available at <a href="https://usermanual.wiki/m/68573d543093792f80f0cf24ee19dd2053848aeda926943fd52a03063991ea56.pdf">https://usermanual.wiki/m/68573d543093792f80f0cf24ee19dd2053848aeda926943fd52a03063991ea56.pdf</a></li> <li>• Windows Visa: The Missing Manual, available at <a href="http://ommolketab.ir/aaf-lib/rvqoaxtgatlfs5s4zq306nr6bn81n8f.pdf">http://ommolketab.ir/aaf-lib/rvqoaxtgatlfs5s4zq306nr6bn81n8f.pdf</a></li> <li>• Merriam Webster Online Dictionary, available at <a href="https://www.merriam-webster.com/dictionary/%22resource%20locator%22">https://www.merriam-webster.com/dictionary/%22resource%20locator%22</a></li> <li>• Sonos 2014 provisional application 62/007,906</li> <li>• U.S. Patent No. 9,674,587 e.g. at 2:52-67, 14:4-16:47, Fig. 4</li> <li>• Microsoft Computer Dictionary, 5th Edition (2002)</li> </ul>	<p><b>Formatted:</b> Font: Bold, Italic</p> <p><b>Formatted:</b> Font: Bold, Italic</p> <p><b>Formatted:</b> List Paragraph, Bulleted + Level: 1 + Aligned at: 0" + Indent at: 0.25"</p> <p><b>Formatted Table</b></p> <p><b>Formatted:</b> Bulleted + Level: 1 + Aligned at: 0" + Indent at: 0.25"</p> <p><b>Formatted:</b> Bulleted + Level: 1 + Aligned at: 0" + Indent at: 0.25"</p> <p><b>Formatted:</b> No bullets or numbering</p> <p><b>Formatted:</b> Hyperlink</p>
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## APPENDIX A: TERMS IN DISPUTE

		<ul style="list-style-type: none"> <li>○ SONOS-SVG2-00042957;</li> <li>○ SONOS-SVG2-00042960;</li> <li>○ SONOS-SVG2-00042962;</li> <li>○ GOOG-SONOSWDTX-00042015</li> </ul> <ul style="list-style-type: none"> <li>• See also: <ul style="list-style-type: none"> <li>○ '033 Patent at 2:61-3:23, 12:6-13:19, 13:20-27, 16:59-67, 17:8-16, FIG. 7;</li> <li>○ '033 Patent Prosecution History, Oct. 28, 2019 Interview Agenda;</li> <li>○ '033 Patent Prosecution History, Nov. 1, 2019 Office Action Response;</li> <li>○ '033 Patent Prosecution History, March 9, 2020 Applicant Initiated Interview Summary;</li> <li>○ U.S. Patent App. No. 16/550,148, Dec. 26, 2019 Office Action;</li> <li>○ U.S. Patent App. No. 16/550,148, Mar. 26, 2020</li> </ul> </li> </ul>	<p><b>queue</b><sup>1</sup> <i>n.</i> A multi-element data structure from which (by strict definition) elements can be removed only in the same order in which they were inserted; that is, it follows a first in, first out (FIFO) constraint. There are also several types of queues in which removal is based on factors other than order of insertion—for example, some priority value assigned to each element. <i>See also</i> deque, element (definition 1). <i>Compare</i> stack.</p> <hr/> <p>• <a href="#"><u>Webster's New World Telecom Dictionary (2008)</u></a></p> <p><b>queue</b> A list, string, or stack of things constructed so that items are added to one end and relieved from one end or the other. Generally speaking, items are added to one end, known as the tail, and relieved from the other end, known as the head. In the absence of some priority mechanism for purposes of establishing and maintaining quality-of-service (QoS) differentiation, items are relieved from the head of the queue in the order they entered the tail. This approach is known as <i>first-in-first-out</i> (FIFO). Incoming call centers employ automatic call distributors (ACDs) that queue incoming calls, serving them to agents as they become available. Fax servers can queue documents for transmission during non-prime time hours, when international calling costs are lowest. PBX systems commonly have the capability to queue outgoing calls for expensive long distance circuits. Switches and routers queue packets in buffers until internal resources</p> <hr/> <p><b>queue</b> 404</p> <p>are available to process them or until bandwidth is available to forward them. Systems may support multiple queues for different types of calls or packets. Priority mechanisms can cause a call or packet to move up in the queue or even advance to the head of the queue in order that it can be served more quickly. See</p> <hr/> <p>• <a href="#"><u>The New Penguin Dictionary of Computing by Pountain (2001)</u></a></p>
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## APPENDIX A: TERMS IN DISPUTE

		<p>Office Action Response;</p> <ul style="list-style-type: none"> <li>○ U.S. Patent App. No. 16/550,148, Mar. 31, 2020 Applicant Initiated Interview Summary;</li> <li>○ U.S. Patent App. No. 16/550,148, May 21, 2020 Notice of Allowance;</li> <li>○ Intrinsic Evidence from one or more cited patents: <ul style="list-style-type: none"> <li>▪ SONOS-SVG2-00043061 at ¶¶ 9, 14-15, 37, 66;</li> <li>▪ SONOS-SVG2-00042964 at ¶¶ 8, 40, 48;</li> <li>▪ SONOS-SVG2-00042982 at ¶¶ 8, 40, 48;</li> <li>▪ SONOS-SVG2-00043004 at ¶¶ 40, FIG. 2a;</li> </ul> </li> </ul>	<p><b>queue</b> A data structure with the property that the first element that can be removed is the first one that was put in. Hence a queue enables a number of items to wait for the occurrence of an event, or access to a rationed resource, while maintaining the strict order in which they arrived. See also FIFO, STACK.</p> <hr/> <ul style="list-style-type: none"> <li>• <a href="#">Microsoft Encyclopedia of Networking (2000)</a></li> </ul> <p><b>queue</b></p> <p>A collection of items waiting to be processed in a specific order. Examples of queues in computer and networking technology are numerous and include the following:</p> <ul style="list-style-type: none"> <li>• A print queue, which consists of print jobs waiting to be sent to a print device</li> <li>• A messaging queue (on a mail server such as Microsoft Exchange Server), which consists of messages waiting to be sent</li> <li>• A backlog of packets waiting to be forwarded over a specific interface by a router</li> <li>• Information, function calls, or transactions sent by one application and forwarded to another by Microsoft Message Queue (MSMQ) Server in Microsoft Windows NT or Message Queuing in Windows 2000</li> <li>• A collection of fax messages waiting to be processed and sent by a fax server</li> <li>• A series of system messages, such as key presses and mouse clicks, sent by applications to an operating system for processing</li> </ul> <hr/> <ul style="list-style-type: none"> <li>• <a href="#">McGraw-Hill Dictionary of Scientific and Technical Terms, 6th Ed. (2002)</a></li> </ul> <p><b>queue</b> [COMPUT SCI] 1. A list of items waiting for attention in a computer system, generally ordered according to some criteria. 2. A linear list whose elements are inserted and deleted in a first-in-first-out order. [IND ENG] See waiting line. { kyū }</p>
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**APPENDIX A: TERMS IN DISPUTE**

		<ul style="list-style-type: none"><li>• Prior documents from <i>Sonos, Inc. v. Google LLC</i>, 20-cv-881, including:<ul style="list-style-type: none"><li>○ Sonos's Opening Claim Construction Brief, including all Exhibits;</li><li>○ Sonos's Reply Claim Construction Brief, including all Exhibits</li></ul></li></ul>	
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